

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

PETER PINEDA, JENNIFER DOMINGUEZ,  
ORLANDO RODRIGUEZ, FIDELINO GONZALEZ,  
JACOB GARCIA, and LUIS MENDEZ as parent and  
natural guardian of JEFFREY MENDEZ, *on behalf of  
themselves and others similarly situated,*

Plaintiffs,

-v-

NY WING KINGS, INC., WINGSTOP  
RESTAURANTS, INC., PAUL PROANO and  
CHAYANNE HALANI, *in their individual and  
professional capacity,*

Defendants.

Case No. 16-cv-01256 (SJ)(SMG)

**NOTICE OF MOTION**

**Oral Argument Requested**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law, the Declaration of Mike Mravle, and the exhibit annexed thereto, Defendant Wingstop Restaurants, Inc. (“Wingstop”), by and through its attorneys DLA Piper LLP (US), will move this Court before the Honorable Judge Sterling Johnson, Jr., United States District Judge of the United States District Court, Eastern District of New York, at 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, for an Order granting Wingstop’s motion pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) to dismiss the claims against it set forth in Plaintiffs’ Complaint, and for such other and further relief as this Court deems just and proper.

Dated: May 12, 2016  
New York, New York

DLA PIPER LLP (US)

By: /s/ Brian S. Kaplan

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